



Atty. Docket No.:17633/1230

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al
Serial No.: 09/761,261
Filed: 12/6/00
Entitled: Stem Cells of the Islets of
Langerhans and Their Use in Treating
Diabetes Mellitus

Examiner:

Group Art Unit:

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice to File Missing Parts mailed January 22, 2001;
2. Copy of Notice to File Missing Parts- Part 2;
3. Petition for one month Extension of Time;
4. Executed Declaration and Power of Attorney;
5. Check in the amount of \$1128.00 for the requisite fee; and
6. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 17633/1230.

A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date:

4/10/01

Kathleen M. Williams
Registration No.: 34,380
Palmer & Dodge LLP
One Beacon Street
Boston, MA 02108
Tel: 617-573-0100



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Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS


Dear Sir:

In response to Notice To File Missing Parts of Application mailed January 22, 2001 in the above-referenced patent application, please find enclosed an Executed Declaration and Power of Attorney Form, a Copy of Notice to File Missing Parts- Part 2, a Petition for Extension of Time to file Response and a check in the amount of \$1128.00 as required by 37 C.F.R. 1.51(c)(1), for the surcharge of late filing; basic filing fee; and one month extension of time.

Respectfully submitted,

Date:

4/12/01


Kathleen M. Williams

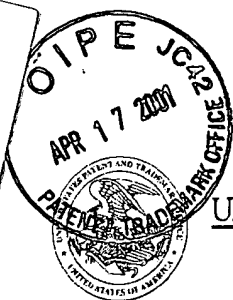
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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/731,261 | 12/06/2000 | Joel E. Habener | 17633/1230 |

CONFIRMATION NO. 9060

Docketed *Lehn*

FORMALITIES LETTER

Kathleen M. Williams, Ph.D.
Palmer & Dodge, LLP
One Beacon Street
Boston, MA 02108Response due *Resp to NFMP*Statutory Period *3/22/01 (7/22/01)*

Palmer & Dodge, LLP

Patent Department



000000005696394

Date Mailed: 01/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

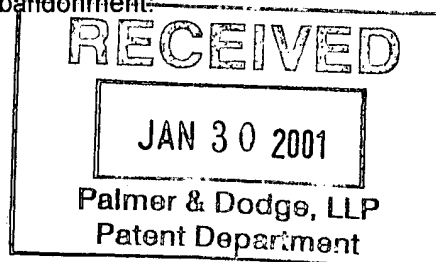
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
 - Total additional claim fee(s) for this application is \$653.
 - \$198 for 22 total claims over 20.
 - \$320 for 8 independent claims over 3.
 - \$135 for multiple dependent claim surcharge.
 - The oath or declaration is unsigned.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- | | |
|---------------------------------------|-----------|
| 04/19/2001 HTECKLU1 00000025 09731261 | |
| 01 FC:201 | 355.00 OP |
| 02 FC:203 | 198.00 OP |
| 03 FC:202 | 320.00 OP |
| 04 FC:204 | 135.00 OP |
| 05 FC:205 | 65.00 OP |
- The balance due by applicant is \$ 1073.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:



- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Eleni Woodapp

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE